

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

v.

ELITE BOSS TECH INCORPORATED,
11020781 CANADA INC., DANIEL
FAGERBERG LARSEN, JOHN DOE NO. 1
A/K/A “SLYTIGER” A/K/A ARTHUR S.
ADERHOLT, JOHN DOE NO. 2 A/K/A
“BADGER,” JOHN DOE NO. 3 A/K/A
“LUZYPHER,” JOHN DOE NO. 4 A/K/A
“GOODMAN,” JOHN DOE NO. 5 A/K/A
“YIMOSECAI,” JOHN DOE NO. 6 A/K/A
“RIDDELL,” JOHN DOE NO. 7 A/K/A
“PISKUBI93,” AND JOHN DOES NO. 8-20,

Defendants.

Case No. 2:21-cv-01112-MJP

STIPULATED MOTION FOR
EXTENSION OF INITIAL
SCHEDULING DATES

**NOTE ON MOTION CALENDAR:
October 18, 2021**

STIPULATION AND MOTION

1. Plaintiff Bungie, Inc. filed its Complaint in this action on August 18, 2021. Dkt. No. 1. The Court issued an “Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement” on September 20, 2021 (Dkt. No. 9, hereafter the “Order”), containing the following deadlines:

1 Deadline for FRCP 26(f) Conference: 10/18/2021

2 Initial Disclosures Pursuant to FRCP 26(a)(1): 10/25/2021

3 Combined Joint Status Report and Discovery
4 Plan as Required by FRCP 26(f)
5 and Local Civil Rule 26(f): 11/1/2021

6 2. The defendants identified by name in this case all reside outside of the United
7 States; therefore, those defendants must be served via the Hague Convention on the Service
8 Abroad of Judicial and Extrajudicial Documents (“Hague Convention”). Fed. R. Civ. P.
9 Rule 4(f). Notably, the normal 90-day deadline for service of process does not apply to service in
10 a foreign country. Fed. R. Civ. P. Rule 4(m).

11 3. Bungie believes it has now obtained valid service of process on the named
12 defendants who reside in Canada (Elite Boss Tech Incorporated, 11020781 Canada Inc., and
13 Robert James Duthie Nelson). A Canadian lawyer (John Simpson of Shift Law in Toronto) who
14 represents those defendants has contacted Bungie’s counsel, but as of the date of this motion,
15 those defendants do not appear to have retained any lawyer authorized or admitted to practice in
16 the Western District of Washington.

17 4. However, Bungie is still attempting service through the Hague Convention on
18 defendant Larson, who is believed to reside in Denmark. Especially with the ongoing COVID-19
19 pandemic, service of process abroad can take even longer than usual. Bungie believes it will
20 have accomplished service of process on that defendant via the Hague Convention before the end
21 of the year.
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24 5. Pursuant to instructions in the Order, Bungie’s counsel Mr. Esler previously left
25 voicemails with the courtroom deputy Grant Cogswell requesting a 100 day extension of time on
26

1 these deadlines. On Friday, October 15, Mr. Cogswell called Mr. Esler back, and requested that
2 Bungie submit the request via a written motion.

3 6. Because of the need to still serve at least one defendant abroad via the Hague
4 Convention, the unusually long time it can take to accomplish that service right now, and the
5 desire to have an efficient Rule 26 conference that involves properly-admitted counsel for all the
6 identified defendants, Bungie now moves pursuant to LR 7(j) that the deadlines in the current
7 Order be extended by 100 days, to make the new deadlines as follows:
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9 Deadline for FRCP 26(f) Conference: 01/26/2022

10 Initial Disclosures Pursuant to FRCP 26(a)(1): 02/02/2022

11 Combined Joint Status Report and Discovery
12 Plan as Required by FRCP 26(f)
13 and Local Civil Rule 26(f): 02/09/2022

14 7. Bungie notified Canadian defendants' counsel (John Simpson) about this request,
15 and he has had no objections.

16 SO STIPULATED AND MOVED, THROUGH COUNSEL OF RECORD.

17 DATED this 18th day of October, 2021.
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By: s/ Brian W. Esler

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Attorneys for Plaintiff

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 18, 2021



Marsha J. Pechman

United States Senior District Judge